Express Mail Label No.: EV69551055US

Date of Deposit: November 3, 2005 Attorney Docket No. 27526-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Gary Alan Culliss

Filed:

09/839,840

April 23, 2001

For:

ANSWERING MACHINE DETECTION FOR VOICE MESSAGE DELIVERY

METHOD AND SYSTEM

Examiner:

Allan Hoosain

Art Unit:

2645

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Examiner's May 3, 2005 final Office Action in the above-identified application. A check in the amount of \$500.00 for filing this Notice of Appeal is enclosed as required by 37 CFR §§ 1.17(b), 41.20(b)(1). A duplicate copy of this Notice is enclosed. Applicant has concurrently filed a Petition for a Three-Month Extension of Time, along with the appropriate fee. With the extension, the Notice of Appeal is due on or before November 3, 2005.

Although Applicant believes no additional fees are due with this submission, the Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 27526-001 CIP).

Respectfully submitted,

11/07/2005 SSITHIB1 00000065 09839840

02 FC:1401

500.00 DP

Alison L. McCarthy, Reg. No. 51,998

Attorney for Applicant c/o MINTZ, LEVIN One Financial Center

Boston, Massachusetts 02111

Tel: (617) 542-6000 Fax: (617) 542-2241 Customer No. 30623

Date: November 3, 2005